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THE RIPLEY ADVERTISER.

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WHITES FOR THE RIPLEY ADVERTISER.

The White Rose

MEMPHIS.

BY C. FALKNER.

CHAPTER XXXII.

MEMPHIS'S STORY CONTINUED.

The Judge became so much interested in his conversation with Lottie, that he forgot all about the business of his court, and the thirty minutes recess was prolonged to an hour; and he might have extended it twice that time, but Mr. Quillet called his attention to the case of the State against McCoy, which was ready for trial.

"All right, Mr. Quillet," said the Judge as he looked at his watch. "I crave your pardon; I had forgotten all about the business of the court."

Then I heard him whisper to Mr. Quillet, "That is a sharp woman. She is posted on all questions, and knows how to express her ideas. I think she has the prettiest eyes I ever saw."

"Yes," replied Mr. Quillet, "I think she has a charming face too; but they say she is in love with that awkward young fellow with the shaggy whiskers; I believe they call him Demar."

"Just so," observed the Judge, "that is always the way with those beautiful intelligent women; they usually fall in love with ugly men; though I think Demar is a pretty good fellow."

"The State against McCoy," said the Judge as he took his seat and opened the docket. "Are you ready for the State Mr. Quillet?"

"Ready," replied Quillet.

"Bring in the prisoner, Mr. Sheriff."

That officer opened a side door and called for McCoy. A little pale-faced man came tottering into the court room, supported by his wife, who held a sickly-looking infant with her left hand, while she supported her husband with the other. Two little bright-eyed girls were clinging limply to the calico dress of the mother. The little girls were twins, and about two years old; dressed in faded calico, while their pitched faces showed that they were half-starved. The poor woman's face still contained evidences of fading beauty and refinement; while misery and despair had settled on it. The husband had a boastful appearance, and was unable to walk without assistance. The whole picture presented by this poor family was almost pitiful; such as to make the heart ache to behold.

"Are you ready for trial, Mr. McCoy?" the Judge inquired.

"I reckon so," said the wretched man as he leaned on his wife's arm.

"Who is your attorney?"

"I have none."

"Are you not able to employ one?"

"No, sir."

Lottie, who had watched the proceeding intently, now rose quickly from her seat and whispered something to Col. Buff, a lawyer, who stood near her.

"I will defend Mr. McCoy, if the court please," said Buff.

I knew that Lottie had employed him to defend the prisoner. The prosecuting witness was a stout, red-faced man, with red hair and freckled skin, and smelled strong of brandy and tobacco. After the indictment was read, the witness took the stand, and gave his evidence in grunts and growls, which in substance, showed that he (the witness) was driving a wagon loaded with bacon, and that while passing near the defendant's house, one wheel of his wagon broke down.

He left his wagon on the ground in the road, while he went to a shop near by to get his wheel mended.

ed; and while he was gone, the defendant carried off one piece of the bacon. The defendant had tried to buy a side of the meat, but wanted it on a credit; when the witness refused to sell it without the cash in advance, and defendant proposed to pledge his coat, hat and pocket knife, until he could pay for the meat. Witness rejected this proposition as a matter of course. Defendant said his wife and children were all sick, and that he was unable to work on account of ill health. He further stated that his family were starving to death, and begged me to let him have a few pounds of the bacon, saying that he would be sure to pay me as soon as he got able to work. I of course rejected all such nonsensical propositions, and went to the shop with my broken wheel. When I returned, I found that one of the pieces of bacon was gone. I went directly to defendant's house, and found the stolen piece of meat.

I never in all the days of my life wanted to choke a man as bad as I did that witness.

"We rest here for the State," said Mr. Quillet as the villainous witness took his seat.

"Will introduce Mrs. McCoy now," said Col. Buff.

The poor lady went into the witness box, while the little twins followed clinging to her skirts; and trembling with fear, while the wrinkled-faced child in her arms kept tugging at her breast in the vain hope of appeasing its hunger.

"My good woman," said Col. Buff, "please tell the court and jury what you know about this case."

Mrs. McCoy wiped the fast-falling tears away with her sleeve, and with a low tremulous voice, sounding like the cooing of a dove, said:

"My husband is a railway engineer, but on account of failing health he was compelled to give up his place on the road. Our money soon gave out, for we have a large family, and we were all sick. We parted with everything we had, in order to pay house rent, doctor's bills and buy provisions. My father died leaving an estate worth ten thousand dollars. I was his only heir, and was entitled to the entire estate—my mother having died ten years ago. I was the only child. Mr. Anderson was appointed administrator, and took the money into his possession, and has made away with it; so we were left penniless and starving. I was able to keep the children from starving as long as I could work, but when my health failed and my husband took his bed, we could no longer keep the wolf from the door. An angel visited our house one day, and gave us provisions; and all we needed then. She kept coming to our house twice a week, giving us plenty of everything, and bringing a good doctor to see us. As long as this good angel continued to visit us, we got along very well; but they put the dear thing in jail, then we began to starve."

"That was Viola, Eldie," whispered Lottie as she caught me by the arm, while her eyes were filled with tears.

Mrs. McCoy now broke down completely, and burst into a fit of weeping.

"If the court please," said Mr. Quillet, "it appears that this unfortunate lady does not know anything about the facts of the case. While I deeply sympathize with her, I must ask the court to let her stand aside."

"I consent to this," said Col. Buff, "and I regret to say that we have no evidence to offer for the defense. I have therefore advised the defendant to withdraw his plea of not guilty, and throw himself on the mercy of the court. To this he has given his consent, and I can only beg your honor to fix the punishment as light as you shall think you can do, consistently with your official duty. This is truly a hard case, such as one as appeals in strong terms to the mercy of the court."

"Have you any reasons to urge, Mr. McCoy, why the sentence of the law should not be pronounced against you?" said the Judge as he brushed a tear from his eyes.

"None, sir," groaned the prisoner as he bowed his head on the table.

The duty which the law fixes upon me in this case is truly an unpleasant one; but I can not escape it, though much I wish I could. The sentence of the court is, that the defendant be imprisoned in the penitentiary for two years from this date.

date? "Mrs. McCoy, throw her arms around her husband's neck and gave vent to her grief in a succession of heart-rending screams; while the unhappy twins began to whine! Lottie had the baby in her arms, but she handed it to me, and seizing a pen, began to write hurriedly as she sat near the table. All eyes were now intently fixed on Lottie, including the Judge and Mr. Quillet. She never took her eyes off of the paper until she had covered two sheets with writing; then she handed it to the Judge. He adjusted his glasses and examined it deliberately.

"This is a recommendation to the Governor for pardon, Mr. Quillet," said the Judge, "and I shall cheerfully sign it, and earnestly hope you will do the same."

"Certainly, we will all sign it," replied Mr. Quillet.

The Judge and Mr. Quillet signed it, then each member of the bar stepped forward and wrote his name on the paper. Lottie had given a complete history of the case in a neat hand, and in words of eloquence.

"Take this paper to the telegraph office for me, Eddie," she said as she raised her beautiful eyes to mine. "Have it sent by wire immediately at my expense."

Three hours afterwards the dispatch was answered by the Governor; and Mr. McCoy went home to his family a free man. Now, my friends, you will agree with me when I say that this was doing business in a gallop, but it was Lottie's way of doing things.

"The next case for trial is the State vs. Anderson," said the Judge. "Are you ready there, Mr. Quillet?"

"Ready for the State," was the reply.

"Is the defendant in court, Mr. Sheriff?"

"Yes!" replied a fat short man, who looked like the skid was stretched to its utmost capacity in order to cover all of his body, and then did not quite do it.

Mr. Anderson moved to the front with as much dignity as Gen. K. E. Lee used to appear in when heading a council of war. The indictment charged Mr. Anderson with embezzling the little sum of ninety thousand dollars, the money belonging to sundry widows and orphans of the "good city of Memphis, county of Shelby." Nineteen other bills of a similar sort had been presented against that distinguished gentleman for embezzlement. The fact is he had made a clean sweep of at least three hundred thousand dollars of money that had come into his hands as public administrator. Mr. Anderson was the most innocent-looking man I ever saw. His face was pale, and his hands very small, soft and white. A beautiful diamond pin sparkled on his shirt front; a heavy gold chain dangled from his watch pocket; while three costly rings, set in amethyst, glittered on the fingers of his soft white hands. His boots were polished until they resembled the surface of a mirror; his hair was richly perfumed and parted in the middle. Take him all in all, he was a perfect model of dignity and beauty. As he rose and came forward and stood calmly gazing at the Judge, quite a sensation was perceptible among the spectators; while all the lawyers began to collect round him.

"Who are your attorneys, Mr. Anderson?" inquired the Judge.

"The defendant waved his hand round and began to point at the lawyers. After having pointed out a dozen, the court began to show signs of impatience.

"You seem to be well represented in the way of attorneys, Mr. Anderson," said the court.

"My attorneys are not all present just now, but I can send for Mr. Rockland and Mr. Bulger," observed the defendant with great dignity, gentlemen."

"Ready, may it please your honor," said Mr. Fullbrain—a red-faced lawyer with a large crooked nose and jaws like a wild boar. We made a motion to quash the indictment in this case, if the court please."

The Judge now rubbed his nose with his finger and snorted; then fixed his keen black eyes on Fullbrain, as if he was very much surprised at the mention of the motion. Mr. Quillet was on his feet in an instant, and began to assume a defiant expression of countenance.

The clerks dropped their pens and moved towards the hog-jawed lawyer, while the spectators commenced to collect in a dense crowd round him.

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Hog-jaw harangued the Court for an hour; then Mr. Quillet delivered an eloquent argument against the motion; but he was compelled to admit that the r was not crossed. I could see that he felt like he was fighting under a great disadvantage; but he insisted that it was a defect that could be remedied by amendment. When Mr. Quillet resumed his seat, Mr. Rockland, who had been sent for, rose to address the court in favor of the motion to quash. He went back to a period anterior to the birth of Adam and came down with a complete history of all the laws that had ever existed from that time to the present. He first paid his respects to the laws of Moses; then took up the Koran and chewed it up and spit it on the floor; riddled the laws of the Medes and Persians; and when he struck Blackstone, he began to throw authorities at the head of the court so rapidly that his honor became completely bewildered. He plowed through statutes, quoted decisions, read precedents, dished book after book behind him, after he had exhausted their contents, then wound up with such a flow of eloquence, as to convince every body that the defendant was a much persecuted man. Then he sat down and deliberately wiped the perspiration from his brow and waited for the judgment of the court. Judge Flipout dropped his head on the desk and remained silent for several minutes, evidently being greatly confused by the vast waves of learning that had rolled over him. At last he rose up and rubbed both sides of his nose with his finger, re-adjusted his glasses, coughed two or three times and looked up at the ceiling as if he thought it was going to fall.

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"Now, sir, if that distinguished poet was correct in his views, (and no man with a thimble full of brains in his head would dare to doubt it,) then, sir, I assert it as an indisputable fact that this indictment is defective and must be quashed. If a T without a cross is no T at all, why then as a matter of course this motion must prevail. If you consider that the r is not crossed, (and I presume that my learned brother, who represents the State will do that,) then there is no one indicted at all."

Hog-jaw harangued the Court for an hour; then Mr. Quillet delivered an eloquent argument against the motion; but he was compelled to admit that the r was not crossed. I could see that he felt like he was fighting under a great disadvantage; but he insisted that it was a defect that could be remedied by amendment. When Mr. Quillet resumed his seat, Mr. Rockland, who had been sent for, rose to address the court in favor of the motion to quash. He went back to a period anterior to the birth of Adam and came down with a complete history of all the laws that had ever existed from that time to the present. He first paid his respects to the laws of Moses; then took up the Koran and chewed it up and spit it on the floor; riddled the laws of the Medes and Persians; and when he struck Blackstone, he began to throw authorities at the head of the court so rapidly that his honor became completely bewildered. He plowed through statutes, quoted decisions, read precedents, dished book after book behind him, after he had exhausted their contents, then wound up with such a flow of eloquence, as to convince every body that the defendant was a much persecuted man. Then he sat down and deliberately wiped the perspiration from his brow and waited for the judgment of the court. Judge Flipout dropped his head on the desk and remained silent for several minutes, evidently being greatly confused by the vast waves of learning that had rolled over him. At last he rose up and rubbed both sides of his nose with his finger, re-adjusted his glasses, coughed two or three times and looked up at the ceiling as if he thought it was going to fall.

"This case, gentlemen," said he, "presents many strange and difficult features; such as we do not often

notice. The clerks dropped their pens and moved towards the hog-jawed lawyer, while the spectators commenced to collect in a dense crowd round him.

"I would ask the gentleman to state the grounds of his motion, if the court please," said Mr. Quillet, in his deep, base-sounding voice.

"Of course, of course," replied the hog-jawed gentleman; "I was just going to give the desired information when my friend interrupted me. There is, as we think, a fatal defect in this bill of indictment. An incurable defect, which must be patent to any thinking mind. I am truly sorry to find such a glaring mistake, as we would have been glad to try this case on its merits. The character of our client, his distinguished reputation for honor and integrity, his lacerated feelings and wounded pride, all cry aloud to us for redress. We feel confidence in our ability to clear our distinguished client on the merits of this case, and would have greatly preferred to make the fight on the merits; but we find the bill of indictment so defective that we, as lawyers, think it is a duty we owe to the profession, sir, to make this motion. Who is the man intended to be indicted under this bill? Yes, who is the man? That is the question I ask. This honorable gentleman has been arrested and dragged from the bosom of his happy family, under the impression that the grand jury of Shelby county has presented into this honorable court a true bill against him. Now, I assert that no such thing has been done. No bill of indictment has ever been presented against my client at all. My client's name is Anderson; his name cannot be correctly spelled without a r; and I defy any man to show me any such a letter in this thing, mis-called an indictment. Doubtless the writer intended this animal for a r, but no gentleman who has any regard for his reputation would venture to call it a r. The distinguished poet, Ramsquaddler, has very eloquently and truthfully said:

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